

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

**FILED**

JUL 27 2016

U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY VICTORIA,

Defendant.

NO.

**4:16CR332 AGF/NAB**

**INDICTMENT**

**COUNT I**

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

- (a) "minor" to mean any person under the age of eighteen years (18 U.S.C. §2256(a));
- (b) "sexually explicit conduct" to mean actual or simulated
  - (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,
  - (ii) bestiality,
  - (iii) masturbation,
  - (iv) sadistic or masochistic abuse, or
  - (v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A));

- (c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6)); and
- (d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--
  - (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or
  - (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about January 1, 2015, and on or about April 14, 2016, in the Eastern District of Missouri, and elsewhere,

**JOHNNY VICTORIA,**

the defendant herein, did knowingly receive images and videos of child pornography over the internet, a means or facility of interstate commerce, and these images and videos were visual depictions that involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of a minor engaging in sexually explicit conduct, including but not limited to the

following:

1. "Carved [42758144].jpeg" – a graphic image file of a prepubescent minor female in a lascivious display of her genitals;
2. "Carved [38625280].jpeg" – a graphic image file of a prepubescent minor female being penetrated by an adult male;
3. "Video\_06.mpg" – a graphic video file of a prepubescent minor female performing oral sex on a male;
4. "Video\_09.mpg" – a graphic video file of a prepubescent minor female performing oral sex on a male.

In violation of Title 18, United States Code, Section 2252A(a)(2).

A TRUE BILL.

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FOREPERSON

RICHARD G. CALLAHAN  
United States Attorney

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COLLEEN C. LANG, #56872MO  
Assistant United States Attorney